



**MINUTES  
CITY COUNCIL REGULAR MEETING  
July 12, 2021**

**CALL TO ORDER**

The meeting was called to order at 6:30 pm.

**Present:** Mayor: Charlie Miner; Council: Jahn Dyvik, Mike Feldmann, Gina Joyce, and Deirdre Kvale

**Staff Present:** City Administrator: Scott Weske; Public Works Director: Sean Diercks; City Attorney: John Thames; and City Clerk: Jeanette Moeller

**Absent:** None

**PLEDGE OF ALLEGIANCE**

**MAYOR'S COMMENTS – LONG LAKE NEWS, MEETING REVIEW AND UPDATES**

Mayor Miner offered the following updates:

Mayor Miner recognized the Public Works Department for their work to make the downtown area look great in preparation for Independence Day and noted his appreciation for the American flags that are on display.

The Economic Development Authority met in a special meeting prior to the Council meeting to discuss the revised site development agreement and other details surrounding the City-owned property on Virginia Avenue.

The Council also held a Work Session prior to the regular meeting where they discussed a sanitary sewer rehabilitation project and a potential street improvement project to take place over the next few years. He stated that the Council will discuss both of these in greater detail at an August Council meeting.

**APPROVE AGENDA**

*A motion was made by Dyvik, seconded by Joyce, to approve the agenda as presented. Ayes: all.*

**CONSENT AGENDA**

The Consent Agenda consisted of:

- A. Approve Minutes of June 15, 2021 City Council Meeting
- B. Approve Minutes of June 29, 2021 City Council Special Meeting
- C. Receive Unofficial Draft Minutes of June 29, 2021 EDA Special Meeting
- D. Approve Vendor Claims and Payroll
- E. Approve Fund Transfers from Storm Water Fund 603 to Carp Management Fund 213 per the Carp Management Agreement
- F. Adopt Resolution No. 2021-27 Approving Issuance of Special Event Permit #S2021-05 for the 2021 LLFD Red Hot Run 5K to be held July 31, 2021

Council member Dyvik asked how much would be transferred to the Carp Management Fund.

Weske responded that the transfer per the agreement would be \$2,500, plus \$386.09 to remove any remaining deficit.

The Council discussed the Carp Management Fund and the possibility of allocating money every year in the budget to carp removal and lake management.

*A motion was made by Dyvik, seconded by Joyce, to approve the Consent Agenda as presented. Ayes: all.*

## **OPEN CORRESPONDENCE**

No one was in attendance to address the City Council during Open Correspondence.

## **BUSINESS ITEMS**

### **Approval of Revised Site Development Agreement, Revised TIF Development Agreement, Promissory Note and Mortgage, and Authorization of the Mayor and Administrator to Execute All Necessary Closing Documents for Purchase of City Owned Virginia Avenue Property**

City Attorney Thames recalled that this item was also discussed at the EDA meeting held prior to the Council meeting. He explained that at the June 29, 2021 meetings, the Council and the EDA agreed to accept delayed payment of the purchase price for the Virginia Avenue property to facilitate the project moving forward. That action had necessitated a few changes to the agreements. The updated Development Agreement just has a change to paragraph 45 that includes updated right of re-entry language. The TIF Development Agreement required only one word be changed, which replaced August with October for the commencement of construction. He stated that sale of the property is scheduled to close on July 13, 2021.

*A motion was made by Dyvik, seconded by Miner, to adopt Resolution No. 2021-30, a Resolution Approving and Authorizing the Mayor and City Administrator to Execute the Revised Site Development Agreement, Revised TIF Development Agreement, Promissory Note and Mortgage, and All Other Documents Necessary to Facilitate Closing of the Sale of PID 34-118-23-24-0078. Ayes: Miner, Dyvik, Feldmann, and Joyce. Nay: Kvale. Motion carried.*

*A motion was made by Miner, seconded by Dyvik, to authorize the Mayor to execute a Consent to Plat for The Burrough, LLC. Ayes: Miner, Dyvik, Feldmann and Joyce. Abstain: Kvale. Motion carried.*

### **Discuss Diamond Lake Regional Trail Options and Provide Direction to City and Three Rivers Park District Staff**

City Administrator Weske briefly reviewed past discussions regarding proposals for locations for the Three Rivers Park District's Diamond Lake Regional Trail. He reported that the Council had expressed their interest in seeing Three Rivers explore an option other than Wayzata Boulevard W for the trail location due to the additional cycling and pedestrian traffic that would result, especially in some downtown areas. He indicated that there was some discussion about using City-owned Wurzer Trail and taking it to the Luce Line Trail. He reviewed the discussion by the Park Board and highlighted that they also had recommended using Wurzer Trail as an alternative to the Wayzata Boulevard W trail location. He explained that Three Rivers had reviewed the City's alternative route and responded, via e-mail on June 14, 2021, that they recommend continuing with the route that Three Rivers had originally identified. They did indicate that they were willing to work with the City to find creative solutions to improve access, wayfinding, and things like bathrooms and parking lots. On June 28, 2021, Weske and Kelly Grissman, Director of Planning for Three Rivers Park District, met to discuss the City's concerns related to their proposal and attempt to develop a mutually agreeable process for moving forward.

Kelly Grissman, Director of Planning for Three Rivers Park District, noted that she would like to begin with an apology. She stated that one of the first things they should have done was to ask the Council if they were even interested in a regional trail that would go through the community. She indicated she understands now that they really missed the mark and needed to think about some of the concerns that Weske had outlined for them. After taking that feedback into consideration, they have come up with a new hybrid route option, which means that there are now three options to consider - the original, the hybrid option, or simply not having a regional trail.

Stephen Shurson, Project Manager, Three Rivers Park District, gave a presentation that reviewed the original proposed location on Wayzata Boulevard W, a Wurzer Trail option, and an Orono Orchard Road option. He highlighted elements and points of each option, including; the length, number of parcels adjacent to right-of-way, width, utilities, driveway and road crossings. He gave a brief overview of the pros and cons for each trail option.

Regarding the option that would cross the horse trail, Council and staff discussed the horse trail and horse traffic levels.

Council member Joyce questioned why there wasn't a consideration for the Luce Line further west and connecting up.

Mr. Shurson replied that is an option and noted that if the City decides that none of the options being presented are possible, that will be their fall back position.

Mayor Miner asked if they would pave the Luce Line or leave it as limestone.

Mr. Shurson responded that based on their conversations with the public and the MnDNR, the preferences appear to leave it non-paved, but it may be possible at some point in the future to pave it.

Mayor Miner mentioned that he frequently bikes on the Luce Line Trail. Much of it is in tough shape and the vegetation on the sides just continues to grow inward.

Mr. Shurson indicated that is something that they can bring up to the MnDNR. He gave an overview of the public engagement process they conducted on the Wayzata Boulevard W trail option. He reported that they had done a mailing to 678 addresses in Long Lake and Orono, spoken with businesses, put up signage directing people to the trail project website, put postings on their social media, held an open house at Nelson Lakeside Park, and offered virtual open houses to share information and welcome input.

Council member Kvale questioned where Mr. Shurson felt like people would park with each of the trail options.

Mr. Shurson presented a map that highlighted their preferred option for trailhead parking areas and restrooms in the Long Lake area.

Council member Dyvik commented that in looking at the Three Rivers Park District website, it appears as though the Lake Independence Regional Trail comes down Old Crystal Bay Road and ends just short of Fox Street. He noted that about one and a half miles from that is the Dakota Regional Trail that goes into Wayzata. He stated that in his opinion, if they would just make that connection, they would have what they seem to be trying to accomplish. He asked whether they had considered that option.

Mr. Shurson replied that they have considered it, it will be included in the Three Rivers Master Plan, and they are considering it for the future with or without the trail being discussed tonight. He emphasized that they feel a trail through Long Lake would be an amenity to trail users and connect to local businesses.

Council member Dyvik voiced that he felt statements were misleading because the original concept was a north/south trail that did not come through downtown Long Lake at all. He pointed out that apparently they were denied that option by Orono and Medina and are now trying to push this on Long Lake as being the solution. He stated that he is still trying to figure out what the mission of the Three Rivers Park District is and what their goals are with this proposed trail. He asked if there was a certain density of pedestrians and bikers they were trying to accommodate across the region. If the goal is just a north/south connection, he reflected he doesn't understand why Three Rivers wouldn't just connect the Lake Independence Trail with the Dakota Trail.

Ms. Grissman commented that Council member Dyvik brought up a lot of good points and many that they have already been talking about. When the original trail location did not work, they took a step back to see how they could connect Long Lake to the regional trail and park systems. She noted that she does not want it to come across that they are here pushing their agenda on the City at all. The City is in the driver's seat on whether they would like to see the Three Rivers Park District continue to work on this or not. She shared that they have found that 50% of their trail users generally come from 1.5 miles away from the trail corridor and 75% of them come from within three miles. While they are called regional trails, they are being used by the local residents to travel from one community to another. She added that they do not really expect people to drive in from Champlin in order to use this trail because it is not a destination trail, but rather, a linking trail.

Council member Dyvik stated that there is already a local trail for the residents and downtown visitors. He expressed confusion as to why this needs to be called a regional trail when people already probably know it is there. He indicated that he is not as opposed to the southern option as he is to the northern one using Wayzata Boulevard W, but he has the feeling that people will just take the northerly option because it will be a straighter shot to get to the Luce Line Trail.

Ms. Grissman confirmed that Three Rivers would agree with that assessment and also believes the Wayzata Boulevard W trail will see more use regardless of which option, if any, has the regional designation. The benefit for the City is that the City is currently liable for ownership and maintenance responsibilities, so if Three Rivers were to obtain the trail, if pavement management is necessary it becomes the burden of Three Rivers Park and not the City.

Council member Kvale found it very interesting that the bulk of the users are expected to be locals. She stated that Long Lake already has trails in place and asked what benefit the City would actually gain from this other than signage. She assumes that most people from Long Lake are either connecting to the Dakota Trail or going to Wayzata and asked if there is a connection to the Dakota Trail.

Ms. Grissman indicated that there is a connection from the Luce Line to Wayzata. She noted that the City does already have trails in place so the question for the City is whether they want to designate any of them as a regional trail and transfer the ownership responsibility to the Three Rivers Park District. She stated that they would not see much change other than adding a yellow center line stripe that helps users know where they should be so there are not head-on collisions. There would be wayfinding signage and there would be kiosks installed that have broader maps about where users can go on a particular trail and how they can connect to local amenities. She added that they do not call out specific places of business, but instead say 'this is a commercial area' or 'has places to eat in this area'. They will highlight places to park and where users can find bathrooms.

Mr. Shurson stated that they would be constructing a new trail along the side of Ferndale to Wayzata Boulevard W, and a new trail over to Barry Road and then to Lake Street to connect to the Dakota Trail in downtown Wayzata.

Council member Joyce asked if that had already been approved by Wayzata.

Mr. Shurson confirmed Wayzata's approval has been received.

Council member Dyvik reiterated his suggestion to just connect the Lake Independence Regional Trail with the Dakota Trail and that is all.

Mayor Miner commented that he does believe there may be benefits to be cognizant of when it comes to the maintenance of the trail. He mentioned that there is already a section of Wurzer Trail that needs some work, though he does not think the City has any identified funds for maintaining the trails.

The Council discussed other nearby trails, parking possibilities, and access to local businesses.

Jan Guenther, owner of Gear West, indicated that she had been in the area for 31 years and she uses all the trail systems. She does not see there being a likelihood of a lot of people making a destination drive to Long Lake because there is a lot of activity in Wayzata. She understands the concerns about congestion, but feels that maintenance of the trails in the future is going to be huge, so the trail proposal makes a lot of sense to her financially. She also said she thinks there will be a lot of use for the most direct route if trail users want to come into the City, regardless of whatever trail option may be chosen. She stated that she doesn't see anything wrong with the trail being a little bit busy and for the City to have more people around and be vibrant. She added that she could not imagine why the City would want to divert people away from the town.

Council member Dyvik agreed that the City is starting to show vibrancy again and people are using the trails. He had also spoken with a number of residents especially near Martha Lane and Symes Street that are concerned about safety coming out of driveways. He stated that he, personally, has not heard any support for this proposal from residents but understands that businesses may have a different perspective. He pointed out that a regional trail does not generally cross a lot of driveways.

Ms. Grissman replied that can be the case if they put in the trail before development happens, but when working in a fully developed community, it is very hard to avoid driveway crossings.

Council member Dyvik explained that he was just passing along the feedback that he has been directly given, which was not in support of using the existing trail along Wayzata Boulevard W.

Council member Joyce added that she had heard the same thing from residents.

Council member Kvale asked if there would be any opportunity to widen the portion of the trail on Martha Lane.

Mr. Shurson responded that the other thing they tossed around as a possibility was staying on Wayzata Boulevard W to the corner near Red Rooster at Mill Street, down to Symes Street, and then down and around.

Council member Dyvik indicated that he has heard from Symes Street residents who are also not in favor of this proposal.

Mr. Shurson noted that they have basic data about what it would cost for patch and sealcoat, which they do every seven to ten years, which would be about \$80,000 for the work in the City. He stated that their trails are reconstructed every 20-30 years which would cost about \$1,000,000.

Council member Feldmann asked how much the City had spent, thus far, for the trail.

Weske replied that the City still owes about \$80,000 for the City's share of the trail.

Council member Kvale inquired about the possibility of utilizing some of the parking lots and the alleyway that isn't really an alley behind some of the main buildings as a way to find another route past Symes Street.

Ms. Grissman stated that they have not looked at that option at all.

Council member Joyce asked if as part of trail maintenance they would also take over daily snow removal and asked about their response time for clearing snow. She added that currently, the City has a great Public Works Department that is there within an hour after it is done snowing and gets them clear.

Ms. Grissman explained that winter maintenance is something that they ask the local communities to provide and explained that they reimburse the City at \$500/mile.

Council member Joyce agreed with Council member Dyvik that the trail option should either be the southern Orchard Lane option or continuing from the Luce Line up.

Mayor Miner asked if there would be a way to focus on the stretch around Martha Lane to get creative and bring back some diagrams as to how the trail would weave through that area. He stated that absent that information, his guess is that they will be looking at the southern route along Orchard Lane.

Council member Kvale questioned if there would be 'speed slow down' signage on the trails as they are coming into town similar to what is done for automobiles, because sometimes they are riding through very quickly.

City Clerk Moeller mentioned that the City is about to add approximately 120 residential units attached to the sidewalks along Wayzata Boulevard W with the Zvago and Virginia Avenue projects. She added that those residents will be out walking which may increase the pedestrians in the area.

Weske suggested, for the southern option, doing a loop around the north side of the Orono golf course which on the west side would only impact two private properties.

Council member Feldmann stated that he is still trying to wrap his head around the fact that the City just bought the trail and is considering the idea of just turning over the asset to Three Rivers Park District.

Weske added that the City would still have the debt as well.

Ms. Grissman stated that may change things with her Board and create a different opportunity than has been discussed, because they were under the impression that the trail was already paid for.

Council member Feldmann indicated that he does not think Martha Lane is wide enough for two cars, let alone two cars and a bike, so he has some safety concerns there.

Ms. Grissman summarized that it sounds like there is interest in focusing on use of Wurzer Trail and the County Road 112 connection as well as seeing some conceptual sketches for the downtown area on how the congestion and safety concerns can be addressed so it is more palatable than what is already there with the shared road conditions. She stated that would mean that Three Rivers would not do any additional study on the southern option.

Council member Feldmann reiterated that the trail is an asset and he finds it arbitrary to then just turn around and hand it over to someone else.

Council member Dyvik emphasized that he would not agree that Three Rivers should stop considering the southern option. He noted that he thinks the Wurzer Trail option with a downtown connection is going to create some issue with the Martha Lane/Symes Street residents and reiterated that he was going by the feedback he has gotten from them.

Ms. Grissman suggested that they can come back and focus their study just on the downtown area and not make any decisions or do any additional study on the other options.

Council member Dyvik added that he shares Council member Kvale's concern about parking and does not want Nelson Lakeside Park to get filled up with cars for people that are just riding on the bike trails, which means parking isn't available for people who want to use the beach and the park. He stated that he wants to make sure that the City would not be jeopardizing or compromising another public use within the City.

Council member Kvale asked if it may be possible to work with the Pioneer Museum on some shared parking.

Ms. Grissman responded that they have not reached out to them, but based on tonight's conversation they intend to do that.

Mr. Shurson stated that they can look at and explore all the other parking options before they come back to the City.

Ms. Grissman explained that they will do some concept sketches and rendering options that just focus on the downtown area. She stated that they will plan to come back in four to six weeks to share this information and get input from the Council.

Council member Dyvik asked if they may consider scheduling another Open House to provide the opportunity for more public input.

Mr. Shurson replied that if they do more public engagement, he would prefer to do it one more time and have the actual option that is being considered.

Ms. Grissman added that even if they don't do another Open House, they are open to virtual one on one meetings or small group neighborhood meetings if residents do want to weigh in or ask questions.

Mayor Miner suggested that they may want to reach out to City Clerk Moeller to utilize the City's Listerv to communicate with residents.

Council member Dyvik indicated that his interest is having the downtown area be more pedestrian friendly and he does like the idea of having a bike trail near the City, just not going through the downtown area.

Moeller noted that if much of the concern is the feedback of the residents near Martha Lane and Symes Street, she wondered if there would be any benefit in doing a little door knocking in that area as part of the conceptual plan in order to gain more sensitivity to their concerns.

Ms. Grissman stated that they will regroup in the next few days and try to figure out the right plan.

### **Special Event Permit Request for Corn Days 2021**

Moeller advised that typically this item would have been on the Consent Agenda, but since she wasn't sure if the full Council knew the background of and the difference between the Corn Days festival and the Corn Days parade, she included it as a regular agenda item. She explained that the festival is held by The Church of St. George every year and noted that this year they are scaling back from a two day event to just a one day event. The Corn Days parade is typically sponsored by the Long Lake Area Chamber of Commerce, but she has not received an application for the Corn Days parade this year. The festival is not being held on Sunday when the parade would typically take place, and she is under the impression that the organizers may revisit the parade next year when the Corn Days festival likely reverts back to a two day event. She stated that the Church of St. George has requested a Special Event Permit to hold Corn Days on August 7, 2021 and reviewed the variety of family friendly activities to be offered by the event. She stated that staff recommends approval of all permit requests subject to conditions as noted in the permit approval letter provided in Council members' meeting packets.

*A motion was made by Feldmann, seconded by Joyce, to adopt Resolution No. 2021-28 approving issuance of Special Event Permit #S2021-06 for the Corn Days 2021 festival to be held on August 7, 2021; to approve the issuance of a Noise Variance Permit authorizing sound amplification for live entertainment; to approve issuance of a 1 to 4 day Temporary On-Sale Liquor License for the Church of St. George to allow the sale of alcoholic beverages; and to approve an Application for Exempt Permit for the Church of St. George to conduct gambling activities including bingo and raffles during the 2021 Corn Days event. Ayes: All.*

### **Update on Fire Department Discussions**

Weske noted that there is another regional meeting coming up on July 14, 2021, and the Fire Advisory meeting had been rescheduled.

Mayor Miner confirmed that he has nothing new to report since the last Council meeting and suggested that this update item be placed on the agenda for once a month rather than at every meeting.

### **OTHER BUSINESS**

**Meeting Absence** - Council member Kvale stated that she probably will not be able to attend the Council meeting on July 20, 2021.

**Three Rivers Trail Proposal** - Council member Dyvik commented that something just does not sit well with him regarding the whole Three Rivers Park District approach to the City. He noted that he cannot explain it but he just does not feel comfortable with it. Council member Joyce stated that she agreed. Council member Dyvik indicated that he also does not think a route that is reconfigured through downtown will sit well with the residents. The Council discussed the downtown area along Wayzata Boulevard W and the desire for pedestrian walkability, as well as potential concerns for an increase in e-bikes in the City and whether those qualify as a motorized vehicle. Mayor Miner added that he would like the City to begin thinking about a pavement management plan for its trails.



**Watermain Break** - Weske reported that he had just received word that there is a watermain break at Glendale Drive and Grand Avenue.

Council member Kvale left the meeting.

**Parking on Glenmoor Lane** - Moeller indicated there have been a few e-mails that have come in that are semi-related to the land use application for Birch's and express concern about the parking in the Glenmoor Lane residential neighborhood. She spoke with City Attorney Thames and they discussed the idea of adopting a standalone ordinance that does not amend City Code, but would be a specific ordinance to implement a permit parking only section of Glenmoor Lane, and would be voluntarily noticed for a public hearing. She gave a brief overview of the background of Birch's parking plan and valet services.

**ADJOURN**

*Hearing no objection, Mayor Miner adjourned the meeting by general consent at 8:58 pm.*

Respectfully submitted,

Scott Weske  
City Administrator